

REMARKS/ARGUMENTS

As a result of this Amendment, claims 1-19 are canceled without prejudice, and new claims 20-41 are under active consideration in the subject patent application.

The Director is hereby authorized to charge large-entity fees for the Petition fee for a three (3) month extension of time to file the Response, namely \$1050.00, extending the time for response to the Official Action from June 17, 2008, to September 17, 2008 to Deposit Account No. 04-1679.

In the Official Action, the Examiner has:

- (1) objected to informalities in Claim 10;
- (2) rejected Claims 1-19 as being indefinite under 35 U.S.C. §112;
- (3) rejected Claim 1 as being unpatentable over Myrosznyk (U.S. Patent No. 5,365,088) in view of Lindemann et al (U.S. Patent No. 6,919,609); and
- (4) identified claims 2-19 as presenting allowable subject matter if rewritten or amended to overcome the rejections under 35 U.S.C. §112.

With regard to Items 1-4, Applicant categorically disagrees with the Examiner's allegation that original claim 1 is obvious in view of a combination of Myrosznyk and Lindemann et al. However, in an effort to expedite the prosecution of this application, Applicant has cancelled original claims 1-19, without prejudice to his right to pursue the subject matter presented by those claims in related applications, and entered new claims 20-41.

More particularly, the subject matter originally presented in claims 1 and 2 has been combined and presented as new independent claim 20. Applicant's rewriting of claim 1 in this case is not intended to be an admission of any kind with regard to U.S. Patents Nos. 5,365,088 or 6,919,609, or their bearing upon the patentability of the

subject matter presented in now canceled claims 1-19. As acknowledged by the Examiner, the subject matter presented by previous claim 2 is allowable, but required presentation in independent form for issuance of a patent grant and not for reasons of patentability. New independent claim 20 is allowable for all of the reasons set forth by the Examiner in the Official Action. Claims 21-23 are dependent directly or indirectly from allowable claim 20, and are allowable at least through dependency. New claims 23-41 have been amended so as to correct the indefiniteness issues raised in the official action, and are allowable for all of the reasons set forth in the Official Action.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. In view of the foregoing, Applicant respectfully submit that new claims 20-41 are in condition for allowance. Favorable reconsideration is therefore respectfully requested.

If a telephone conference would be of assistance in advancing prosecution of the above-identified application, Applicant's undersigned Attorney invites the Examiner to telephone him at 215-979-1255.

Respectfully Submitted,

Date: September 17, 2008

/Samuel W. Apicelli/
Samuel W. Apicelli
Registration No. 36,427
Customer No. 08933
DUANE MORRIS LLP
30 S. 17th Street
Philadelphia, PA 19103-4196
Tel: 215-979-1255
swapicelli@duanemorris.com